

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

UNITED STATES OF AMERICA,

CR 13-74-BLG-DWM

Plaintiff,

ORDER

vs.

MONTE CATO LITTLE COYOTE, JR.,

Defendant.

United States Magistrate Judge Carolyn S. Ostby entered Findings and Recommendation in this matter on February 7, 2014. Neither party objected and therefore they are not entitled to *de novo* review of the record. 28 U.S.C. § 636(b)(1); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). This Court will review the Findings and Recommendation for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a “definite and firm conviction that a mistake has been committed.” *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000).

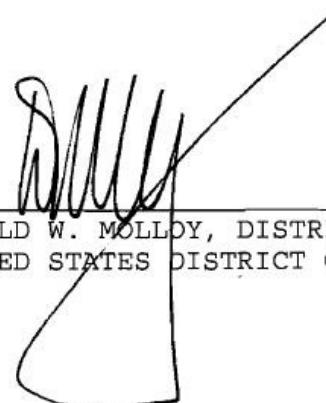
Judge Ostby recommended this Court accept Monte Cato Little Coyote, Jr.’s guilty plea after Little Coyote appeared before her pursuant to Federal Rule of

Criminal Procedure 11, and entered his plea of guilty to the crime of aggravated sexual abuse in violation of 18 U.S.C. § 1153(a) and 2241(a) as charged in the Indictment.

I find no clear error in Judge Ostby's Findings and Recommendation (Doc. 20), and I adopt them in full, including the recommendation to defer acceptance of the Plea Agreement until sentencing when the Court will have reviewed the Plea Agreement and Presentence Investigation Report.

Accordingly, IT IS ORDERED that Monte Cato Little Coyote, Jr.'s motion to change plea (Doc. 13) is GRANTED.

DATED this 24th day of February, 2014.



DONALD W. MOLLOY, DISTRICT JUDGE
UNITED STATES DISTRICT COURT